

FAQ

United States v. State of New Jersey and New Jersey Civil Service Commission

- What kinds of relief are available under the Consent Decree?
- Who is eligible for relief?
- What do I do if I believe I may be eligible for relief?

What kinds of relief are available under the Consent Decree?

The Consent Decree provides for two types of relief. First, in consultation with the DOJ, the State will develop and administer a new examination and scoring procedure to select candidates for promotion to police sergeant throughout the state in local jurisdictions participating in New Jersey's civil service system.

Second, the State will provide individual relief, as appropriate, through monetary relief and/or priority promotions. With respect to monetary relief, the State will provide \$1,000,000, which will be divided among the African-American and Hispanic Claimants from certain jurisdictions who the Court determines to have been adversely affected by the State's uses of the written exam. The jurisdictions and test administration years in which Claimants are eligible for individual relief are listed in First Amended Attachment A to the Decree. Monetary relief will be allocated among all Claimants based upon the number of years of back pay each Claimant is eligible to receive. Claimants determined to be eligible for monetary relief will receive awards that do not exceed the amount of money they would have received had they been promoted based upon the challenged exam that they took.

With respect to priority promotions, the State will ensure that 68 priority promotions are made to 48 African-American and 20 Hispanic Claimants from the 13 local jurisdictions identified in Attachment K. Claimants determined to be eligible for a priority promotion must first pass the new selection procedure developed under the Decree. In addition, any Claimant who earns a priority promotion will be entitled to limited retroactive seniority for purposes of receiving seniority credits for future promotional opportunities, if applicable. The Decree does not require the State to appoint anyone who is not qualified to be a police sergeant.

Who is eligible for relief?

Individuals defined as "Claimants" under the Decree are eligible for monetary relief and/or priority promotion relief depending on the jurisdiction and year in which they were candidates for promotion to the position of police sergeant as outlined in First Amended Attachment A

"Claimant" refers to any African-American or Hispanic person from specified jurisdictions who has not been promoted to police sergeant and who (1) between 2000

and 2009, failed a police sergeant written exam where appointments from the eligible list resulted in a shortfall of his or her race or (2) between 2000 and 2008, passed a police sergeant written exam where appointments from the eligible list resulted in a shortfall of his or her race, but ranked below the lowest-ranking candidate appointed from that eligible list. The shortfall is the expected number of African Americans or Hispanics who would have been promoted to police sergeant but for the State's uses of the challenged examination.

The Court will make the final determination as to which individuals will receive relief under the Decree.

What jurisdictions are affected?

CONTACTS

What do I do if I believe I may be eligible for relief or if I have additional questions?

If you are an African-American or Hispanic police officer and you took a police sergeant written exam administered by the New Jersey Civil Service Commission between 2000 to 2009 in one of the 43 local jurisdictions identified in Attachment A, please leave the Department of Justice your updated contact information at 1-800-556-1950, Option No. 1.

If you are an African-American or Hispanic police officer and you took a police sergeant written exam administered by the New Jersey Civil Service Commission between 2000 to the present in one of the 43 local jurisdictions identified in Attachment A, please leave the Department of Justice your updated contact information at 1-800-556-1950, Option No. 1.

If you have additional questions about this case, please contact the Department of Justice at 1-800-556-1950, Option No. 1, and leave a message. We will attempt to return your call as soon as possible.